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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/580,484	05/24/2006	Bradley R. Hammell	F-759-P1	2385

919 7590 10/28/2010

PITNEY BOWES INC.  
INTELLECTUAL PROPERTY & TECH. LAW DEPT.  
35 WATERVIEW DRIVE  
MSC 26-22  
SHELTON, CT 06484

EXAMINER
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IWARERE, OLUSEYE

ART UNIT	PAPER NUMBER
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3687

NOTIFICATION DATE	DELIVERY MODE
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10/28/2010

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

iptl@pb.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/580,484	<b>Applicant(s)</b> HAMMELL, BRADLEY R.	
	<b>Examiner</b> OLUSEYE IWARERE	<b>Art Unit</b> 3687	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2010.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5, 13-17 and 22-26 is/are pending in the application.
- 4a) Of the above claim(s) 6-12 and 18-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 13-17 and 22-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. This communication is in response to the correspondence sent on 8/10/2010. The amendments to the claims and remarks have been entered and fully considered below.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1 – 5, 13 – 17 and 21 – 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lau (7,212,829) in view of Examiner's Official Notice.**

**As per claims 1, 13 and 25**, Lau discloses a system and computer-implemented method for a user to find pinpoint status of a shipment being transported by a carder, comprising:

clicking on a shipment pinpoint symbol on a computer screen (col. 5, lines 53 – 62 discuss user selecting);

connecting automatically to an internet or private network, if a connection is not already established (col. 4, lines 37 - 50 discuss connecting to the internet);

sending automatically a shipping pinpoint inquiry to the carder via the internet or private network (col. 4, lines 55 – 67 discuss a tracking the location information of the shipment);

requesting a pinpoint location of the shipment in response to the shipping status inquiry (col. 4, lines 55 – 67 discuss a tracking the location information of the shipment); and

receiving the requested pinpoint location of the shipment to the computer screen, wherein the pinpoint location identifies a position between checkpoints at each of which shipment presence is monitored regardless of user inquiries (col. 4, lines 55 – 67 discuss a tracking the location information of the shipment).

However, Lau does not explicitly disclose then, in response to clicking on the shipment pinpoint symbol shortcut icon.

Law teaches a website and a graphical user interface with icons (fig. 6). Lau also teaches selecting a notification format and select from any of the options shown on the website in page 6. In addition the abstract states, "...interested parties can gain access to status information pertaining to the articles being shipped via a website."

The Examiner takes Official notice that it is old and well known in the art of websites to include shortcut icons and to click those icons as a way to make a selection.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include clicking on a pinpoint symbol shortcut icon, in order to select the sending format of the shipping status.

**As per claims 2 and 14**, Lau discloses wherein the shipment pinpoint symbol shortcut icon comprises a file, including a markup language context text including a tracking code of the shipment (fig. 6 depicts icons).

**As per claims 3 and 15**, Lau discloses wherein the shipment pinpoint symbol shortcut icon is provided to the computer screen in conjunction with a shipment checkpoint symbol shortcut icon (fig. 6 depict pinpoint symbols), and

wherein the shipment checkpoint symbol shortcut icon is for obtaining information as to the presence of at least one of the checkpoints (fig. 6 depicts position information).

**As per claim 4**, Lau further discloses comprising:

determining whether the step of providing the pinpoint shipping status information to the computer screen is performed later than a certain time after the step of sending automatically the shipping pinpoint inquiry, due to a delay (col. 15 discusses determining a delay in transport); and

compensating a user of the computer screen any such delay (col. 11, lines 52 - 62 discusses incurring costs);

**As per claims 5 and 16**, Lau discloses wherein the position is separate from all of the checkpoints (abstract discusses positions of the item shipped).

**As per claim 17**, Lau discloses further comprising:

determining that the position indicates arrival at a delivery checkpoint (col. 5, line 63 - col. 6, line 10 discusses determining arrival); and

modifying the file to remove the tracking code of the shipment (fig. 3 depicts updating the shipping information).

**As per claim 21**, Lau further discloses comprising:

receiving the shortcut icon file via the internet or private network (col. 2 discusses the internet).

**As per claim 22**, Lau discloses wherein:

the server computer sends the shortcut icon file to the user computer via the internet or private network (col. 2 discusses the internet).

**As per claim 23**, Lau further discloses comprising:

then, in response to clicking on the shipment pinpoint symbol shortcut icon, sending automatically a second shipping pinpoint inquiry to a second carrier via the internet or private network (fig. 1 depicts sending via the internet);

**As per claim 24**, Lau further discloses comprising:

a second server computer for providing to a user computer a clickable shipment pinpoint symbol shortcut icon file that triggers a shipping pinpoint inquiry to a second carrier (fig. 1 depicts a server).

**As per claim 26**, Lau further discloses comprising:

the server computer configured to charge the user a fee is the clickable shipment pinpoint symbol shortcut icon file is selected by the user (col. 11, lines 52 - 62 discusses incurring costs).

### ***Response to Arguments***

4. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OLUSEYE IWARERE whose telephone number is (571)270-5112. The examiner can normally be reached on M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S. Gart can be reached on (571)272-3955. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/O.I./

Patent Examiner, Art Unit 3687

/Matthew S Gart/

Supervisory Patent Examiner, Art Unit 3687